

1 (Whereupon, the following
2 proceedings were had on the
3 public record, to wit:)

4 BY MR. BLOCKER:

5 Q. In your direct testimony, Ms. Sparks, in
6 the exhibit that was comparable to RLS-2, the
7 self-provisioning loop list, you did not provide
8 any capacity information, did you?

9 A. No, I do not believe so.

10 Q. And in response to Mr. Liu's testimony,
11 you created an attachment that purports to
12 provide capacity information; is that correct?

13 A. That is correct.

14 Q. And I believe that is Exhibit RLS-4. And
15 can I ask you to turn to RLS-4.

16 Do you have it in front of you,
17 Ms. Sparks?

18 A. Yes, I do.

19 Q. Okay. And as I understand it, your claim
20 is that you -- you've created this chart from
21 discovery responses that were received from
22 CLECs; is that a fair statement?

1 A. Yes, it is.

2 Q. And the -- after the first three columns
3 which give the various loop locations, the next
4 two columns are indicating whether or not the
5 CLEC had full or partial access to the building,
6 correct?

7 A. That is correct.

8 Q. And then the next column is indicating
9 carriers that you claim can provide DS-1 or
10 DS-3s; is that correct?

11 A. That is correct.

12 Q. And then the last -- second-to-last
13 column, the one that's headed OCN, those are
14 carriers where their discovery responses
15 indicated that they provide OCN-level facilities,
16 correct?

17 A. That's correct.

18 Q. And would you agree with me that this
19 chart only shows one DS-3 provider for the vast
20 majority of building locations on this list?

21 A. No, I would not.

22 Q. Would you -- would it be fair to say that

1 about half of the locations on this RLS-4, that
2 there's only one carrier indicated as having
3 provided DS-1s or DS-3s?

4 A. No, I would not.

5 Q. How would you characterize it, Ms. Sparks?

6 A. I would characterize it that this is a
7 summary of the information received in discovery.
8 Many of the discovery requests where we asked for
9 specific levels of service, as we discussed in
10 the hearing room this morning, AT&T did not
11 respond to those questions; only to say that they
12 had OCN-level facilities.

13 Q. Well, that's certainly an argument that
14 you can make, but I'm just asking about the
15 specific information that's reflected on this
16 exhibit.

17 And with respect to the information
18 that's in the column headed DS-1 or DS-3, would
19 you agree with me that for well over half of the
20 locations that are listed, that there is only one
21 CLEC listed as providing DS-1 or DS-3 service?

22 A. No. Again, I would not agree with that.

1 Q. Okay. Well, let's take an example then,
2 and we won't mention carrier names so that we
3 don't have to go in camera, but let's look at the
4 first location for 1305 East Algonquin Road. Do
5 you see where I'm reading from?

6 A. Yes.

7 Q. Would you agree with me that there's only
8 one carrier listed there as providing DS-1 or
9 DS-3 service?

10 A. No. I would agree with you that this was
11 a summary of the information received in
12 discovery.

13 Q. And the summary of the information that
14 was received in discovery only shows that
15 there's -- only calls there to be one carrier
16 listed on this first loop location that provides
17 DS-1 or DS-3 service, correct?

18 A. No, this shows that there is one carrier
19 who gave us additional information besides, "I
20 provide a loop at that location."

21 Q. Okay. So -- and that would be the same
22 answer you would give for each of the other

1 locations where there is only one carrier
2 providing you capacity information; is that
3 correct?

4 A. It is -- only reflects the information
5 that we received in discovery. It is not the
6 self-provisioning trigger list. It is not a
7 wholesale provisioning trigger list. It is
8 simply a summary of discovery requests or
9 discovery information.

10 Q. Are there any other summaries contained in
11 your rebuttal testimony, Ms. Sparks, that have
12 any other capacity information relating to the
13 self-provisioning trigger?

14 A. No.

15 Q. So RLS-4, is -- that is it?

16 A. Correct.

17 Q. And this summarizes all of discovery
18 responses that you said you received from various
19 CLECs, correct?

20 A. Correct.

21 Q. And --

22 A. Received to date.

1 Q. Fair enough.

2 And the -- from whatever universe of
3 discovery responses for this first location, it
4 only shows one carrier as providing DS-1 and DS-3
5 service; isn't that a fair statement?

6 A. No, it is not a fair statement.

7 Q. Can I ask you to look at the second line
8 of this chart, the one that relates to One Pierce
9 Place.

10 And we don't need to mention the name of
11 the carrier, but the carrier that's indicated on
12 that line in its discovery responses, Ms. Sparks,
13 do you know if it said that it deploys any DS-3s
14 or was your interpretation that since they had
15 OCN-level facilities, they could provide DS-3s?

16 A. The particular carrier used service codes
17 on their discovery response and each of those
18 service codes meant something different.

19 For example, I don't want to go into
20 anything that would be considered proprietary,
21 but -- so I don't know whether to go on and quote
22 from the discovery response or not.

1 MR. BLOCKER: Well, if you need to, then, your
2 Honor, I would request that we go in camera, and
3 I will try to be careful about when we need to go
4 out of camera.

5 JUDGE GILBERT: All right.
6 (Whereupon, the following
7 proceedings were had in
8 camera, to wit:)

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